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April 22, 2011

DA 2559

EXECUTIVE VICE CHANCELLOR AND PROVOST

RE: Delegation of Authority 2559 – Authority to Set Miscellaneous Student Fees and Deposits, Course Materials and Service Fees, Service Charges, and Summer Session and University Extension Fees.

According to President Yudof's April 12, 2011 delegation to Chancellors, I am re-delegating to the Executive Vice Chancellor and Provost the authority to set Summer Session Fees for non-UC students and University Extension Fees, in accordance with DA 2559 (attached). This delegation supersedes the November 2, 2010 Delegation of Authority DA 2257 issued on this same subject.

The Guidelines for Implementing Course Materials and Services Fees issued October 7, 2009 have not been revised but are included again for your information.

While not required by the Delegation, parties should be prepared upon request to report on any fees and charges implemented under this delegation.

Please contact Campus Delegations of Authority Coordinator Cindy Major, @ 2-3115 or cmajor@berkeley.edu with any concerns you may have regarding this delegation of authority.

With warm regards.

Yours sincerely,



Robert J. Birgeneau

cc: Associate Chancellor B. FitzPatrick
Chief Campus Counsel C. Patti
Interim Associate Vice Chancellor-Finance & Controller D. Regalia
Director - Audit and Advisory Services W. Riley
Campus Delegations Coordinator C. Major

Enclosures: Delegation of Authority 2559
Guidelines for Implementing Course Materials and Services Fees (10/7/09)



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April 12, 2011

CHANCELLORS
 PROVOST AND EXECUTIVE VICE PRESIDENT--ACADEMIC AFFAIRS

Delegation of Authority to Set Miscellaneous Student Fees and Deposits, Course Materials and Services Fees, Service Charges, and Summer Session and University Extension Fees

Section 100.4 of the Standing Orders of The Regents, Duties of the President, provides as follows:

* * *

(g) The President shall fix and determine the amount, conditions, and time of payment of all fees, fines, and deposits to be assessed against students of the University, except that the President shall secure the Board's approval prior to the assessment of the University Registration Fee, Educational Fee, tuition fees, and fees and charges required in connection with the funding of loan financed projects, except student-fee funded facilities, parking facilities and housing projects.

* * *

Except for those fees requiring The Regents' approval, the President retains control over all fees, deposits, and charges that are required of students to be admitted to the University or to secure a degree, or otherwise are required of students as a condition of enrollment in regular academic programs.

1. The President has authority for determining whether a new fee falls into a category that is delegated to the Chancellors or remains under Presidential control.
2. The President may review requests for changes in fees that require Presidential approval throughout the year. A fee may be changed only after the President has consulted all ten campuses, or all the campuses which charge the fee in question.

Effective immediately, you are authorized to establish and set fee levels for miscellaneous student fees (e.g., user fees) and deposits, Course Materials and Services Fees, and administrative service charges and penalties. These fees, deposits and service charges, which must comply with any applicable guidelines, are assessed for such purposes as: covering the cost of non-instructional services or materials; encouraging compliance with administrative rules; replacing or repairing equipment which is damaged by students beyond normal wear and tear; providing course-related materials, tools, and equipment to be consumed or retained by the student; recovering costs through rental charges for the student's use of University-owned tools, musical instruments, or other equipment; covering the cost of other materials or services necessary to provide a special supplemental educational experience of direct benefit to the student; covering the cost for special instructional programs mounted on a local or systemwide basis; covering the costs of

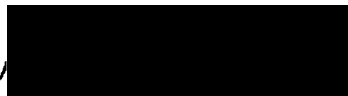
preserving Electronic Theses and Dissertations and making them accessible; and damage and loss deposits. These fees may also be charged to non-UC participants in UC programs.

1. For these fees, deposits and charges, a Chancellor may set the fee levels for his/her respective campus and is required to notify the President of any new fees, deposits or charges, although a Chancellor is not required to notify the President of changes in the levels of existing fees, deposits or charges. For these fees, deposits and charges, the Provost may set the fee levels for instructional programs mounted on a systemwide basis, e.g., the Education Abroad Program (EAP) and UC DC, and is required to notify the President of any new fees, although the Provost is not required to notify the President of changes in the levels of existing fees.
2. When establishing or proposing new fees, deposits, or charges, you shall apply a test of a reasonable relation between the fee, deposit, or charge and its purpose.
3. You are strongly encouraged to keep increases in these fees, deposits and charges moderate and gradual. As appropriate, you shall use ongoing advisory groups that include students to provide advice to you on these fees, deposits and charges.
4. You shall ensure that students are given adequate advance notice of increases in these fees, deposits and charges, as well as the establishment of new fees, deposits and charges.
5. You may not redelegate this authority.
6. You are strongly encouraged to use at least 25% of the fee revenue generated from these fees and charges for need-based financial assistance to cover the need associated with these fees and charges, including but not limited to existing fees and charges.

In addition, Chancellors are delegated authority to set Summer Session Fees for non-UC students and University Extension Fees. (Chancellors may redelegate the authority to set Summer Session Fees for non-UC students and University Extension Fees.)

Fees, deposits and charges that remain under Presidential control include application fees, deposit fees for instructional programs, compulsory campus-based fees voted on by students, and self-supporting program fees.

This delegation of authority supersedes that of November 2, 2010 (DA 2557) from the President to the Chancellors and the Provost. It also replaces the December 19, 2007 letter from President Dynes to the Chancellors (copy attached) regarding the Candidacy Fee and the Master's Thesis Submission Fee.



Mark G. Yudof
President

Attachment:

12/19/07 letter re: Candidacy and Master's Thesis Submission Fees

cc: Director, Lawrence Berkeley National Laboratory
Members, President's Cabinet
University Policy Office

Guidelines for Implementing Course Materials and Services Fees

Chancellors may charge a Course Materials and Services Fee for students to participate in the instructional activities of a course, including: the cost of providing course materials to be consumed, retained or used by the student; the special costs associated with use of University-owned tools, musical instruments, or other equipment; or the cost of other materials or services necessary to provide a special supplemental educational experience of direct benefit to the student.

Definitions

“Course materials and services” are defined as materials, supplies, tools, or equipment which are consumed, retained or used by the student, or other materials or services necessary to provide a special supplemental educational experience of direct benefit to the student. Science laboratories and art studios are examples of courses in which students are required to purchase consumable supplies. Health sciences courses are examples of courses in which students are required to purchase tools and instruments. Film production or music performance courses are examples of courses in which students may be required to rent, for exclusive or extensive access to, University-owned equipment or instruments. Anthropology courses offering special field trip opportunities to students are examples of courses providing a special supplemental educational experience for which a fee may be charged.

“Materials and Supplies” may include, but are not limited to, such items as chemicals, solutions, gloves, filters, biological specimens, artists’ media, glassware, photographic chemicals, and other one-time use items. These also may include the reproduction costs for supplemental materials such as laboratory manuals and noncommercial computer software, and costs associated with providing live models for art classes.

“Tools and equipment” includes scientific or medical tools, musical instruments, video and audio equipment, and other equipment related to enrollment in a course, so long as the student is given ownership (if purchased) or extensive use (if rented) of the tools or equipment and, where feasible, has the option of securing equivalent tools or equipment elsewhere. These may include the costs associated with the use of University-owned tools and equipment for out-of-class learning activities or extracurricular use, or the purchase of computer software if the student retains ownership of the software.

“Materials and services for special supplemental educational experiences” are materials and services that offer students a special educational opportunity, such as travel, lodging and food costs for archeological digs; the cost of film rentals; competency testing; or enhanced, highly specialized instruction that is not the usual pedagogical methodology offered by the University.

Course Materials and Services Fees may be charged for information technology materials and services as they relate to a specific course – for example, to cover the costs of course websites and course management systems, including instructional support staff needed to develop and maintain such materials and services.

In addition, Course Materials and Services Fees may be charged to fund compensation for temporary faculty needed to provide enhanced, highly specialized instruction.

Course Materials and Services Fees may not be charged to cover any costs relating to the provision of facilities or services required for the general operation of the institution. Thus, the following may not be included in Course Materials and Services Fees: expenses for salaries and wages and related employee benefits for ladder rank faculty, lecturers, graduate teaching assistants, or staff providing general instructional support (except where such faculty or staff are assisting in providing enhanced, highly specialized instruction authorized above); allowances for maintenance, depreciation and replacement of instructional equipment located or utilized in classrooms and laboratories primarily during scheduled periods of instruction; reproduction of copyrighted materials for course readers or audio or video collections; and course syllabi.

Procedures: Fee Assessment

A Course Materials and Services Fee shall be assessed only to those students who are enrolled in the applicable course.

The Fee may be collected only through the campus centralized billing or student registration/accounting system, as appropriate.

Campuses should establish procedures for assessing and refunding Course Materials and Services Fees and for providing adequate notice of the Fees to students. As appropriate, Chancellors should use ongoing advisory groups that include students to advise them when establishing Course Materials and Services Fees.

Chancellors should strive to keep increases in Course Materials and Services Fees moderate and gradual. A Course Materials and Services Fee may not exceed the actual cost per student of the materials provided for the course.

Campuses are encouraged to include Course Materials and Services Fees in the financial aid student budget for determination of financial aid awards. The Office of the President will work with campus financial aid offices to establish methods for including Course Materials and Services Fees in financial aid budgets.

Procedures: Fee Accountability

Chancellors are responsible for setting Course Materials and Services Fee levels; these should be reviewed annually.

Departments should fully and accurately document the cost of supplies, consumables, and support services associated with each course for which a Fee is proposed.

Revenue from Course Materials and Services Fees may not be commingled with State General Funds.

Revenue from Course Materials and Services Fees must be accounted for separately and will be reported annually as part of the budget review process. Campuses are responsible for establishing appropriate financial controls to ensure that fee revenue is expended only for approved course materials and services, as defined in this policy.